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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/674,682

11/03/2000

Peter Berrie

36-1368

1560

7590

08/22/2005

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Arlington, VA 22201-4714

EXAMINER

MEHRA, INDER P

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,682

Applicant(s)

BERRIE ET AL.

Examiner

Inder P. Mehra

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004 and 25 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7, 13 and 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7, 13 and 15-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

- 1 This is in response to amendment dated 6/14/04, and supplemental amendment dated 6/25/04.
- Based on these amendments, claims 1, 8-12 and 14 have been cancelled. Claims 2-7, 13, 15-24 are pending, out of which, claims 21-24 have been added in this amendment..

Claim Objections

- 2 Claim 23 is objected to because of the following informalities:

Claim 23 recites "a message" in line 10. It lacks antecedent basis, because it is preceded by the same limitation "a message" in line 5.

a. Claim 24 recites "the stored telephone number" in lines 3-4. It lacks antecedent basis, because it is preceded by "stored valid telephone number"

b. Claim 21 recites "authentication system" in lines 2, 7,10, and 12. This limitation is not supported by specification. Similar limitation has been used in claim 23 also.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

- 3 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2666

- 4 Claims 2-3, 7, 13, 15-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Soderheim, Mattias** (EP 0762707 A2), hereinafter, Mattias, and further in view of **Bendelac et al** (US Patent No. 6,845,102), hereinafter, Bendelac.

For claims 13, 18-20, Mattias discloses, in reference to fig. 1), “a method of providing a connection service between a terminal (personal computer) and a data network (Internet) said terminal (personal computer) and said telephone network ----connected said data network (Internet) through an interface (interface pool), refer to Abstract (57) on front page, page 1 lines 34-40, page 2 lines 22-24, and page 4 lines 1-3, said method comprising the steps of:

- in response to said terminal dialing an interface telephone number, ----- connection through said telephone network -----interface, (a personal computer is connected via the telecommunication network---IP network, refer to Abstract (57) on front page; col. 1 lines 34-36 and col. 2 lines 22-24;
- said interface ascertaining said dialed interface telephone number from said telephone network (allows a user to connect –from telecommunication network to the –network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);
- said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server (user’s IP number (dialed number) shall be blocked i.e that access only shall

Art Unit: 2666

be allowed to the server again, refer to col. 3 lines 4-6, col. 4 lines 5-10 and lines 48-53 and col. 5 lines 1-6;

- in the event that said dialed interface telephone number is one of said valid interface telephone numbers, said interface allocating a data network address to said terminal and transmitting said address to said terminal, (allocating an IP number, i.e IP-address, refer to col. 2 lines 44-46 and 55-58);
- said interface (interface pool) providing a connection between said terminal and said data network, refer to col. 2 lines 31-33.

Mattias discloses explicitly “said interface ascertaining said dialed interface telephone number from said telephone network; said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”, as above. Authorization taking place on the basis of an access network connection route attribute that is ascertained from the access network., refer to col. 2 lines (“allows the calling user----access to the server (part of network) where the access check takes place”).

However, Benedelac discloses more explicitly “said interface ascertaining said dialed interface telephone number from said telephone network said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”, (refer to “The client dials up a Remote Access Server located at the ISP's local point-of-presence. The Remote Access Server communicates, via the ISP's backbone and using the TCP/IP network, with an authentication server. Initial authentication on the incoming calls is performed and the logical connection to the GW is established”, refer to col. 3 lines 62 through col. 4 line 1).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of “interface ascertaining said dialed interface telephone number from said telephone network said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”. The capability can be incorporated into the interface. The suggestion/motivation to do so would have been to improve the transfer of information and prevents irrelevant information of protocol for internet connection..

For claims 2, and 15, Mattias discloses all the limitations of subject matter as recited in claims 1 and 8, as above, including limitation, “wherein in said step of said interface ---terminal- ----data network, said connection is associated with a predefined set of data network addresses in said data network”, (arranging special profiles (lists) over which IP-network addresses are allowed---for certain user---profiles are predefined-----used), refer to col. 3 lines 29-38.

For claims 3, and 16, Mattias discloses all the limitations of subject matter as recited in claims 1 and 8, as above, including limitation, “each said valid interface telephone number -----pre-defined set of data network addresses, (user is by the modem pool allocated (dynamically allocated) an IP- number, i.e an IP address), refer to col. 2 lines 44-46.

For claim 7, Mattias discloses all the limitations of subject matter, as explained in paragraph 5 above, including the following limitations:

Art Unit: 2666

- said data network access means (interface pool) ascertaining said dialed interface telephone number, (allows a user to connect –from telecommunication network to the –network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);
- passing said ascertained dialed interface telephone number to said authorization means, the filter (interface pool) allows the calling user to the server where the check takes place 0, refer to col. 2 lines 49-50);
- said authentication means checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with said connection service (user's IP number (dialed number) shall be blocked i.e that access only shall be allowed to the server again, refer to col. 3 lines 4-6, col. 4 lines 5-10 and lines 48-53 and col. 5 lines 1-6;
- in the event that said dialed interface telephone number is one of said valid interface telephone numbers, said authentication means causing said data network access means to allocate a data network address to said terminal and to transmit said address to said terminal, (allocating an IP number, i.e IP-address, refer to col. 2 lines 44-46 and 55-58), the user's IP number (address) shall be blocked i.e that access only shall be allowed, refer to col. 3 lines 4-6.

Art Unit: 2666

- 5 Claims 4-6, and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Mattias, in view of Bendelac, as applied to claims 13 and 19 above, and further in view of **Ronen, Yzhak** (EP 0765068 A2), hereinafter, Yzhak.

For claims 4-5, , Mattias in view of Bendelac discloses all the limitations of subject matter, as explained in paragraph 5 above, with the exception of the following limitations:

- arranging a telephone network billing system to charge for access to each said valid interface telephone number at an associated pre-defined tariff, as taught by claim 4;
- said telephone network is arranged to associate said dialed interface telephone number with a further interface telephone number, said further interface telephone number being used to complete said connection, as recited by claim 5;

Yzhak discloses the following limitations:

- arranging a telephone network billing system to charge for access to each said valid interface telephone number (bill their customers, refer to col. 1 lines 20-21) at an associated pre-defined tariff, as taught by claim 4, (time- usage basis after a financial payment relationship has been established, refer to col. 1 lines 20-22), refer to col. 4 lines 50-55 ;
- said telephone network is arranged to associate said dialed interface telephone number with a further interface telephone number, said further interface telephone number being used to complete said connection, as recited by claim 5 (virtual telephone number, refer to col. 2 lines 12-25);

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of billing system and further telephone number to complete the call. The capability can be implemented by combining the billing system and further telephone connection arrangement, as taught by Yzhak, with the interface. The suggestion/motivation to do so would have been to provide a payment mechanism.

For claims 6, and 17, Mattias discloses all the limitations of subject matter, as explained in paragraph 5 above, including the following limitations:

- said interface ascertaining said terminal telephone number, (allows a user to connect –from telecommunication network to the –network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);

Mattias does not disclose explicitly, the following limitations:

- said interface checking that said terminal telephone number is not one of one or more invalid terminal telephone numbers, associated with said connection, ISP collects user's Automatic Number Identification (ANI), if ----does not match the ANI provided to ISP, refer to col. 9 lines 15-20;
- in the event that said terminal telephone number is not one of said one or more invalid terminal telephone numbers-----denying a connection between said terminal and said data network (denied access (step 609), refer to col. 9 lines 20-25

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of checking the identification of the user to complete the call. The capability can be implemented by combining the authorization check up arrangement, as taught by Yzhak, with the interface. The suggestion/motivation to do so would have been to provide a secured connection after verification of identification number.

- 6 Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Soderheim, Mattias** (EP 0762707 A2), hereinafter, Mattias, and further in view of **Bendelac et al** (US Patent No. 6,845,102), hereinafter, Bendelac.

For claim 21, Mattias discloses, in reference to fig. 1, a method of operating an interface having a network access system (filter or interface) and an authentication system (access check/control server) to provide a connection service between a terminal (personal computer) connected to the network access system (filter) and a data network (internet), refer to Abstract (57) on front page, page 1 lines 34-40, page 2 lines 22-24, and page 4 lines 1-3 said method comprising:

- ascertaining, in the network access system, a telephone number of a call placed by the terminal to connect to the network access system (allows a user to connect –from telecommunication network to the – network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) **where the access check takes place** (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);

Art Unit: 2666

- sending a message from the network access system (filter) to the authentication system (access check control server), the message containing the called telephone number but not a password uniquely identifying the terminal or user of the terminal (allows the calling user---access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51));
- checking, in the authentication system, whether the called telephone number corresponds to one or more stored valid telephone numbers (refer to col. 2 lines 24-28); and
- returning a message from the authentication system to the network access system that access by the terminal to the data network is allowable if the called telephone number does correspond to one or more of the stored valid telephone numbers (refer to col. 1 lines 9-15).

Mattias discloses explicitly “said interface ascertaining said dialed interface telephone number from said telephone network; said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”, as above. Authorization taking place on the basis of an access network connection route attribute that is ascertained from the access network., refer to col. 2 lines (“allows the calling user----access to the server (part of network) where the access check takes place”).

However, Benedelac discloses more explicitly “said interface ascertaining said dialed interface telephone number from said telephone network said interface checking that said

Art Unit: 2666

dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”, (refer to “The client dials up a Remote Access Server located at the ISP's local point-of-presence. The Remote Access Server communicates, via the ISP's backbone and using the TCP/IP network, with an authentication server. Initial authentication on the incoming calls is performed and the logical connection to the GW is established”, refer to col. 3 lines 62 through col. 4 line 1).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of “interface ascertaining said dialed interface telephone number from said telephone network said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”. The capability can be incorporated into the interface. The suggestion/motivation to do so would have been to improve the transfer of information and prevents irrelevant information of protocol for internet connection..

For claim 22, Mattias disclose “transmitting an address of the data network from the network access system to the terminal if the called telephone number does correspond to one or more of the stored valid telephone numbers; (allocating an IP number, i.e IP-address, refer to col. 2 lines 44-46 and 55-58);said interface (interface pool) providing a connection between said terminal and said data network, refer to col. 2 lines 31-33).

Art Unit: 2666

- 7 Claims 23-24 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Soderheim, Mattias** (EP 0762707 A2), hereinafter, Mattias, and further in view of **Chuah et al** (US Patent No. 6,801,509), hereinafter, Chuah.

For claim 23, Mattias discloses, in reference to fig. 1, “an interface (filter) for providing a connection service between a terminal (personal computer) and a data network (Internet), refer to col. 1 lines 5-10 the interface comprising:

- a network access system (filter) for connecting to the terminal (personal computer) and ascertaining a telephone number of a call placed by the terminal to connect to the network access system, and sending a message containing the called telephone number (authorization check/control access to IP-networks via the telecommunication networks, refer to col. 1 lines 34-36), but not a password uniquely identifying the terminal or user of the terminal (allows a user to connect –from telecommunication network to the – network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) **where the access check takes place** (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51); and (allows the calling user----access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);

- an authentication system for receiving the message sent from the network access system, checking whether the telephone number of the call placed by the terminal corresponds to one or more stored valid telephone numbers, and returning a message to the network access system that access by the terminal to the data network is allowable if the telephone number of the call placed by the terminal does correspond to one or more of the stored valid telephone numbers (user's IP number (dialed number) shall be blocked i.e that access only shall be allowed to the server again, refer to col. 3 lines 4-6, col. 4 lines 5-10 and lines 48-53 and col. 5 lines 1-6).

Mattias does not disclose explicitly the following limitation", which is disclosed by Chuah , as follows:

- an authentication system for receiving the message sent from the network access system, checking whether the telephone number of the call placed by the terminal corresponds to one or more stored valid telephone numbers, and returning a message to the network access system that access by the terminal to the data network is allowable if the telephone number of the call placed by the terminal does correspond to one or more of the stored valid telephone numbers, **refer to col. 5 lines 23-35; dialed number identification service), CLID (calling line identification), or other equivalent forms of identification could be used. Obviously, if Serving LAC 115 can**

not authenticate the user, the connection is not accepted, refer to col. 3 lines 56-63, and CHAP, col. 4 lines 1-10, it is more secured than 'password' authentication protocol., refer to Newton's dictionary.).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of checking the identification of the user to complete the call. The capability can be implemented by combining the authorization check up arrangement, as taught by Chuah within the interface. The suggestion/motivation to do so would have been to provide a secured connection after verification of identification number, which is the telephone number..

For claim 24, Mattias discloses all limitations of the subject matter, as above, includingthe following limitations:

“wherein the network access system transmits an address of the data network to the terminal if the valid telephone number of the call placed by the terminal does correspond to one or more of the stored telephone numbers. (refer to “allocating an IP number, i.e IP-address”, refer to col. 2 lines 44-46 and 55-58).

Response to Arguments

8 Applicant's arguments filed 4/28/2005 have been fully considered but they are not persuasive.

Mattias fails to disclose “said interface ascertaining an access network connection route attribute from said access network; said interface checking that said access network

Art Unit: 2666

connection route attribute is one of one or more valid access network connection route attributes associated with said connection service”,

In response, it is stated that Mattias discloses “said interface ascertaining an access network connection route attribute from said access network; said interface checking that said access network connection route attribute is one of one or more valid access network connection route attributes associated with said connection service”, refer to “the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51.

Further, applicant argues that Mattias discloses an access check/control server checking the authorization of a user on behalf of a modem pool or interface pool. authorization check is not described at all. However, the nature of the Accordingly, Mattias fails to disclose ascertaining an access network connection route attribute from the access network and checking this access network connection route attribute as required by independent claims 13 and 19. More specifically, Mattias certainly does not disclose the ascertaining or checking of a “called interface telephone number” as further required by dependent claims 18 and 20. A called interface telephone number does not appear to be mentioned in Mattias at all.

In response, it is stated that Mattias discloses “ascertaining dialed interface telephone number, refer to col. 2 lines 50-51. However Benedelac discloses more explicitly “said interface ascertaining said dialed interface telephone number from said telephone network said interface checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with connection server”, (refer to “The client dials up a Remote

Art Unit: 2666

Access Server located at the ISP's local point-of-presence. The Remote Access Server communicates, via the ISP's backbone and using the TCP/IP network, with an authentication server. Initial authentication on the incoming calls is performed and the logical connection to the GW is established”, refer to col. 3 lines 62 through col. 4 line 1).

For claims 21-24, these have been disclosed by Mattias in view of Bendelac and Chuah, see office action above.

In light of above explanation, arguments by applicant are not persuasive.

- 9 Applicant argues “Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2666

Conclusion

- 10 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 8/26/05
Inder P Mehra
Examiner
Art Unit 2666



DANG TON
PRIMARY EXAMINER